TUMKUR TOWN MUNICIPALITY.

Notification dated the 8th October 1938.

Under Section 48 (2) of the Town Municipalities Act of 1933.

Notice is hereby given to the inhabitants of the Tumkur Town that the Municipal Council of Tumkur are desirous of enforcing the following bye-laws. Any person objecting to the adoption of these bye-laws, may prefer his objection in writing to the President of the Municipal Council on or before the 31st October 1938, after which no objection will be entertained.

Bye-laws relating to Dangerous and Offensive Trades in the Tumkur Town, framed under Section 48 (1) (b), III and 158 of the Town Municipalities Act of 1933.

1. These bye-laws are called the Dangerous and Offensive Trades Bye-laws.
2. In these bye-laws unless there is something repugnant in the subject or context.—

A. Dangerous trade means the business of storing for sale :—
1. Firewood. 2. Hay, straw, or any other dried fodder for cattle. 3. Bamboos, poles, rafters, reepers, scantlings and mats. 4. Coal and charcoal. 5. Cotton. 6. Kerosene oil in godowns. 7. Petroleum in godowns. 8. Kerosene oil in tanks. 9. Petroleum in tanks. 19. Calcium carbide in bulk.

B. Offensive trade means the business of :—
1. Boiling or storing offal, blood, bones or rags. 2. Storing hides, horns or skins. 3. Tanning. 4. Dyeing. 5. Washing or drying of wool or hair. 6. Making or manufacturing of bricks. 7. Making or manufacturing of tiles, pottery or other earthen ware or lime. 8. Manufacturing oil by boiling. 9. Soap making. 10. Calcium boiling. 11. Using any place as a cart stand. 12. Using any place as a smithy. 13. Stone quarrying or blasting.

C. Manager means the person under whose authority or control or for whose benefit a dangerous or offensive trade is carried on, whether such person is the proprietor of the business or the agent in charge thereof.

3. The manager of every place used for the purpose of a dangerous or offensive trade as defined in clause 2 above, shall not use it as such without obtaining a license from the President therefor. The license so granted shall expire on the 30th of June of the official year during which it was issued. But the currency of a license may be renewed previous to its expiration and on payment of a second fee provided always that where a renewal is applied for as aforesaid, the period of its currency shall, whether the application is eventually granted or refused, be deemed to include the interval during which the application was pending disposal.

4. The fees leviable on licenses to carry on dangerous or offensive trades shall be as follows :—

A. Dangerous trades :—
1. For each class of business, except storing kerosene oil or petroleum, Rs. 5 per annum.
2. Rupees 2 per 1,000 gallons on the capacity of each godown or tank in which kerosene oil or petroleum is stored subject to a minimum of Rs. 14 per annum. The storage capacity of the building shall be calculated at the rate of 10 gallons for 3 cubic feet and shall be written on the outside of the tank.

B. Offensive trades :—
For each class of business or each kiln or furnace for bricks, pottery, tiles, lime, camphor boiling, oil boiling, etc., Rs. 5 per annum.

5. No such license will be granted unless the place intended for the purpose is suitable for the trade to be carried on there without the likelihood of causing any danger or nuisance to the persons residing in, or resorting to, the neighbourhood.

6. Every manager as aforesaid shall keep the place licensed for the purpose open between 7 A.M. and 10 A.M., and 3 P.M. and 5-30 P.M. to inspection by the President, Vice-President, Chief-Officer, Sanitary Inspector or a Police Inspector and shall afford every facility for such inspection.

7. Every such manager shall be bound to furnish to the President, whenever called upon to do so, such statistics as show the quantity of goods received, stored, manufactured, sold or exported by him.

8. In the case of dangerous trades :—
1. Every manager shall so store his goods as to admit of free ingress, and egress for the removal of the goods and for quenching a fire, if any.
2. He shall not cause or suffer any cover made of combustible material to be erected or placed over it adjoining any such goods.

3. He shall at all times keep the premises clean and dry to the satisfaction of the President, Vice-President or the Chief Officer.

4. He shall not allow smoking or the introduction of fire or open light into the premises, and he shall always store sufficient quantity of water to quench the fire, if any, *in places where goods 5 to 10 mentioned in the bye-law 2-A are stored, no light except an electric light or lamp constructed on Sir Humphrey Davy's Principle shall be allowed.*

5. He shall carry out his trade in such a way as not to make his premises a source of danger or nuisance to the persons residing in, or resorting to the neighbourhood,

6. He shall comply with any requisition from the President, Vice-President or the Chief Officer, contained in a notice for the total or partial removal from the premises of the aforesaid goods, or the removal of any other combustible materials not intended for sale or for rectifying any error or omission in attending to the above provisions.

Note:—In the case of hand-made bricks, the license fee shall be Rs. 5 for kiln of 10,000 bricks or a fraction thereof.

9. In the case of offensive trades as defined *in Bye-laws* 2-B :—

1. The trade mentioned in bye-law 2-B (1), (2), (3), (4), (8), (9) and (10) shall not be carried on in any locality, which is less than 2 furlongs distant from a cluster of 25 habitations or less than half a mile distant from a group of 50 dwelling houses and the premises shall not have less than 35 per cent window area as compared with the total floor space of storing and working rooms.

2. Every manager shall confine his trade to be carried on strictly in the place shown in the license.

3. He shall store or convey all offensive and noxious material in proper air-tight receptacles provided with effective and tight lids.

4. He shall adopt the best practicable means of rendering innocuous all vapours emitted during the process of the trade either by proper ventilation, or other suitable means, the manner in which *and place to which all refuse matter may be transported being determined by the President.*

5. He shall keep the floor of the premises in good order and repair so as to prevent the absorption of any liquid, filth or refuse or any noxious or injurious matter which may fall or be deposited upon.

6. He shall provide the premises with proper drains and shall always keep them in good working order.

7. He shall cause the premises to be cleaned at the close of every working day.

8. He shall not allow any refuse or waste matter, whether solid or liquid, which is likely to be a source of danger or nuisance to be deposited in or around the premises but shall have them removed daily in such manner as may be determined, all refuse liquid, whether hot or cold, being subjected to such process or fermentation or purification as might in individual cases be prescribed by the President before being let into any drain, water course, or place, whether public or private.

9. He shall adopt such other precautions as are necessary to minimize the danger or nuisance to the public from the use to which such premises are put.

10. He shall comply with any requisition from the President, Vice-President or Chief Officer, contained in a notice for rectifying any error or omission in attending to the above provisions and for promoting the health of the persons employed in such trades.

11. The President shall have power to suspend or withdraw a license granted for dangerous or offensive trade whenever he deems such a course necessary in the interests of the convenience and safety of the public generally in or of the persons inhabiting or resorting to, the neighbourhood of the premises covered by such license or whenever the conditions of a license are not obeyed.

12. The license to be granted for the dangerous and offensive trades shall be in the following form and shall be subject to such conditions as noted therein.

LICENSE TO CARRY ON DANGEROUS AND OFFENSIVE TRADES.

No. **FEE RUPEES FIVE.**

Date

License No.

Granted under the provisions of the bye-laws under Section 48 (1) (b) (iii) of the Town Municipalities Act 1933, subject to the undermentioned conditions.

To.....

For.....

At premises No..... in .....Division for the year ending 30th June 19 .

Collector of Municipal Taxes.

President, Town Municipal Council,
Tumkur.

Conditions.

1. The license shall be in force for a period of one year. It shall expire on the 30th June of the year for which it was granted. But the currency of a license may be renewed previous to its expiration and on payment of a second fee provided always that where a renewal is applied for as aforesaid, the period of its currency shall, whether the application is eventually granted or refused, be deemed to include the interval during which the application was pending disposal.

2. The license is not transferable.

3. The licensee shall strictly obey all rules and bye-laws of the Municipality, in this behalf.

4. Any breach of such rules or bye-laws will entitle the suspension or withdrawl of the license and the prosecution of the offender under section..... of the Town Municipalities Act, 1933.

LICENSE TO STORE FOR SALE, KEROSENE OIL OR PETROLEUM IN TANKS.

No.

Fee Rs.....

Dated

Granted under the provisions of Bye-laws under Section 48 (1) (b) (iii) of the Town Municipalities Act of 1933, subject to the undermentioned conditions:—

To.....

For.....

At premises No..... .....in.....Division for the year ending 30th June 19 .

Collector of Municipal Taxes.

President, Town Municipal Council,
Tumkur.

Conditions.

1. The license shall be in force for a period of one year. It shall expire on the 30th June of the year for which it was granted. But the currency of a license may be renewed previous to its expiration and on payment of a second fee provided always that where a renewal is applied for as aforesaid, the period of its currency shall whether the application is eventually granted or refused, be deemed to include the interval during which the application was pending disposal.

2. The license is not transferable.

3. The licensee shall strictly obey all rules and bye-laws of the Municipality in this behalf.

4. (*a*) The building shall itself for the reception and storage of kerosene oil or petroleum, be constructed with stone brick wall, with terraced, tiled or iron roofs and with tiled paved or earthen floor.

(*b*) The doors and openings of the building shall be built up to a height of not less than 2 feet above the level of the road or street, or the floor shall be sunk at least 2 feet below the level of the road or street in such manner that the petroleum cannot flow out in case of fire.

(*c*) The building shall be separated by a clear open space of 20 feet on every side from any other building, provided that the licensing officer may for special reasons to be stated in writing dispense with this condition.

Bye-Laws under Section 48 (1) (r)—Levy of fees under Section 78 (1) Re : Structure, etc.

1. (*A*) *Deposit of goods or materials temporarily on land vested in the Municipal Council.*

1. No person shall deposit any goods or materials on any street, drain, aqueduct or other land vested in the Municipal Council, as contemplated under Sections 131 and 134 of the Town Municipal Act, without the written permission of the President.

2. The amount chargeable for the deposit of goods or materials on any street, drain, aqueduct or other land vested in the Municipal Council, shall be calculated at the rate of one anna per month per square foot of the area occupied and shall be payable in advance.

3. If the owner of any goods or materials deposited on any street, or place open to the traffic of foot passengers or vehicles, fails to make suitable arrangements for guarding against danger to traffic, the President of the Municipal Council shall cause a notice to be served on him to make such arrangements within 24 hours after receipt of the notice and on his failure to comply with the notice, the Municipal President shall enclose a bill of costs for carrying out the work at the owner's expense. The arrangements to be made shall be clearly and definitely specified in the notice.

4. If, within 24 hours after the receipt of the said notice, the owner fails to make the arrangements so specified or to show sufficient cause why such arrangements should not be made, the Sanitary Inspector in charge, shall forthwith make the arrangements specified in the notice and recover the cost for the same from the owner according to the procedure laid down in Section 90 of the Town Municipal Act. The owner shall have an opportunity, within seven days after receipt of the bill, to show cause to the satisfaction of the President that the arrangements made were unnecessary.

5. The following is the scale of fees for obstructions and encroachments of different kinds :—

(a) for awnings—two annas per square foot per month.

(b) For temporary archways across roads—rupee one per day for each arch on each road.

(c) The fees for obstructions shall be charged at the scale mentioned above and such charges shall be recoverable in the manner prescribed in the Act for the recovery of consolidated rates.

(B) *Occupation of Public Streets for Vending Fruits, etc.*

6. In such streets or public roads as may be specified and in such parts of the same as may be set apart by the Municipality, a fee of 6 annas per month or quarter of an anna per day shall be levied for the temporary occupation of a public street for the sale of articles, *e.g.*, vegetables, fruits, silk and cotton goods, or ware, betel-leaf, head loads of fire-wood, etc., provided that the President may allow the temporary occupation of public streets as not to inconvenience the public and may order the levy of a fee not exceeding 4 annas per square yard per month.

7. Any person who takes out a license for a certain area and subsequently occupies a greater area without taking out a license for excess so occupied shall be liable to pay for such excess area an amount calculated at the rate of ten annas per month per superficial foot of the area so occupied. This amount shall be recoverable by the procedure laid down in Section 90 of the Town Municipal Act.

2. *Regarding the erection of Pendals or other temporary structures on public streets.*

8. No pendals or other temporary structures for marriage or other purposes shall be erected in any street, lane or public thoroughfare, without the written permission from the President. On receipt of application for permission to put up such structures specifying the situation and size and other particulars, license will be issued by the President if he sees no objection thereto, on such conditions as he may think necessary to provide for the public convenience and safety and on payment of the following fees :—

For a pendal 6 feet broad by 12 feet long or not exceeding 72 square feet ... None.
For a pendal exceeding 72 square feet and not exceeding 150 square feet ... 8 annas.
For every additional 150 square feet or portion thereof ... 8 annas.

Provided that no pendal shall occupy more than 1/3 of the breadth of the road in which the pendal is put up.

(a) No pendal shall ordinarily be allowed to stand for more than fifteen days. An extension of time may be granted on payment of one half the original fee, but not so as to exceed a month from the commencement.

(b) If on the expiration of the time allowed in the license, or the period granted in extension thereto on special application, the person that put up the structure does not remove it, the president will issue a notice to the defaulter for its removal within such time as may be fixed by him in each case; at the end of which time, he may have it removed and the cost of such removal shall be recoverable from the defaulter as Municipal demand.

(c) Any breach of this bye-law will, on conviction, subject the offender to a penalty not exceeding Rs. 5 for the first offence and Rs. 10 for each subsequent offence.

(d) Provided that in the case of pendals intended for purposes of charity or public utility, permission may be granted free of charge.

3. *Regarding the projections over public streets.*

9. (a) No weather board, sun-shade, shop-board or any other projection shall be allowed in any street which is less than 20 feet in width.

(b) In street which are not less than 20 feet in width, permission may be granted for the putting up of weather boards, sun-shades, shop-boards, etc., not exceeding 2½ feet in breadth.

10. In streets which are more than 30 feet wide, the weather boards, sun-shades, shop-boards, may be not more than 3 feet in width.

11. The weather boards, etc., shall always be of non-inflammable material like zinc sheets.

12. The fees for weather boards, etc., for every half-year payable in advance shall be as follows :—

One rupee for every weather board, etc., not exceeding 2½ feet in width and 10 feet in length or fraction thereof. Two rupees for every weather board, etc., not exceeding 3 feet in width and 10 feet in length or fraction thereof.

13. The weather boards, sun-shades, etc., shall not be less than 8 feet high from the plinth of the building or surface of the streets.

Bye-laws for Regulating the working of Slaughter Houses within the Limits of the Tumkur Town, framed under Secton 48 (1) (a) of the Town Municipalities Act.

1. The Veterinary Inspector shall carefully inspect each and every animal brought for slaughter daily, whether for private consumption or sale to the public and satisfy himself that such animals are perfectly healthy before he admits them into the slaughterhouses.

2. The Veterinary Inspector shall also examine the carcasses of animals slaughtered in the slaughterhouses and shall cause to destroy or bury at such time and place as may be appointed by the President any carcass or organ or any part of any carcass that he may find diseased and unfit for human consumption as wholesome food with the previous sanction of the President.

3. The Veterinary Inspector shall cause all carcasses stamped before they are removed to the licensed shops for sale. The Sanitary Officers shall be careful to see that all carcasses brought for sale to the market in their charge bear the slaughterhouse stamp. The Municipal Officers in charge of markets shall report every case in which a carcass does not bear the said stamp and shall at the same time forward any explanations which the person in possession of such carcass may offer for the orders of the President.

4. Any person who slaughters any cattle, sheep, goat or pig which has not been inspected and passed by the Veterinary Inspector or slaughters before or after the house fixed for the purpose or removes any carcass to the markets or to any recognised or licensed place of sale or to his house without the slaughterhouse stamp or who offers any opposition of resistance to the Veterinary Inspector or his peons or to the Municipal Officers in the execution of their duty shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 20.

5. The Veterinary Inspector shall further see that the following conditions are strictly observed by the Slaughter House contractor :—

(a) That the contractor shall maintain the full establishment stipulated in his contract bond for the removal of blood and all other refuse and for the proper sanitation of the slaughterhouses and should see that all collections of blood and refuse of animals slaughtered after 7 30 p.m. and before 6 a.m. are removed regularly every day.

(b) That the contractor shall provide daily a regular and sufficient supply of clean water for cleaning the carcasses and slaughterhouses.

(c) He shall also provide clean and dry sand to be strewn on the floor of the slaughterhouse yards.

6. An infringement by the contractor of any of the foregoing conditions or those of his contract bond or of any other conditions that may be imposed upon him from time to time by the President of the Municipal Council shall render the said contractor liable to a fine not exceeding Rs. 20 for each offence or to his contract being annulled by the President.

7. The Veterinary Inspector shall inspect the slaughterhouses daily between the hours of 6 and 7 A.M.

8. No carcass or any portion of any cattle, sheep, goat or pig slaughtered outside the limits of the Municipality shall be sold in any of the Municipal Markets or any part of the said Municipality by the owner or person in possession thereof without such carcass being first examined by the Veterinary Inspector and the prescribed fees being paid for the same and whoever found in possession of, vending such carcass or any portion thereof in contravention of these provisions, shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 20.

9. Under the authority already granted by the President, the Chief Officer or the Veterinary Inspector shall issue a permit to any person applying for permission to slaughter cattle, sheep, or goat within the limits of the Municipality without license or without payment of any fee for the purposes of the following festivals or religious ceremonies. On such applicant furnishing sufficient grounds for the indulgence sought, the Veterinary Inspector shall note in the slaughterhouse return, on each and every occasion, that such permission is granted, the name of the person to whom a permit has been issued and number of cattle, sheep or goats allowed to be slaughtered.

DASARA.—(Hindus only). One sheep or goat per house to one individual or any one member of a family for two days only.

AKKILA.—(Hindus or Mahomedans). The ceremoney connected with shaving the head of a child for the first time.

Male Child—Two sheep or goats.

Female Child—One sheep or goat.

SADKHA.—(Hindus or Mahomedans). Vow by or for a sick person cattle, sheep or goat not exceeding one or any description of cattle, or four either of sheep or goats.

MANNATH.—(Hindustani) or ARIKA.—(Kanarese)—Hindus or Mahomedans). In fulfilments of a vow made by or for a sick person cattle, sheep or goats not exceeding one of any description of cattle or four either of sheep or goats.

BAKRID.—(Mahomedans only). Camel, cattle, sheep or goats not exceeding one to any one individual or to any one member of a family for three days.

PONGAL SECOND DAY OF PONGAL OR SANKARANTHI (For Hindus only.) One sheep or goat per house.

10. Any person who may require any number of cattle, sheep or goats for slaughter in excess of that given for any of the purposes mentioned in the foregoing Section (9) shall obtain a permit from the Veterinary Inspector and pay the prescribed fee or for such number in excess of that allowed. Whoever without such permit and without the payment of such fee, slaughters any cattle, sheep or goats shall be liable on conviction before a Magistrate, to a fine not exceeding Rs. 20 for every such animal slaughtered together with the amount of the fee payable.

11. No cattle, sheep or goat or pig shall be slaughtered within the limits of the Municipality for the purpose of any ceremony on account of the prevalence of any epidemic without a permit being obtained from the Veterinary Inspector on payment of the prescribed fee. Whoever with such permit and without the payment of such fee slaughters any animal for such purpose shall be liable on conviction to a fine not exceeding Rs. 20 for every such animal slaughtered together with the amount of the fee payable.

Draft bye-laws to regulate the payment of rewards to informants in cases of smuggling of articles liable to octroi duty within the Tumkur Town Municipal limits framed under section 55 (t) of the Town Municipalities Act of 1933.

The President, Town Municipal Council, is empowered to award to any person who gives information leading to the detection of the offence of smuggling goods liable to octroi duty a reward of one-half of the fine recovered and in special cases the full amount of fine and in cases in which conviction is not secured but duty is recovered, half the amount of such duty and in special cases the full amount thereof at the discretion of the President.

Bye-laws regarding Native Hotels or Eating Houses, Restaurants and sweetmeat shops framed under section 48 (1) (b) IV of the Town Municipalities Act of 1933.

Definitions.

An eating house or hotel means and includes any eating house or place where cooked rice, mutton, beef, poultry, vegetables, dhal and confectionary or refreshments (including chapaties, rice cakes, tea, coffee, iddalies, ottpudi, karasev, pakodas, puddings and burugalu and putani are prepared and kept for sale.

Restaurant, tea shop or coffee club means and includes any building or part of a building where coffee, tea, cocoa and other drinks are prepared and articles of food are kept for sale.

Sweetmeat shop means and includes any building or part of a building where confectionary and sweets are manufactured or kept for sale.

Any person who shall appear, act or behave as a person in charge of the eating house, restaurant and sweetmeat shop shall be deemed and taken to be the keeper or manager thereof.

Bye-Laws.

1. All hotels, restaurants, tea-shops coffee-clubs and sweetmeat shops (other than a students' hostel under public or recognised control within the town) shall be subject to license by the President of the Town Municipality.

2. Any person using or wishing to use any premises for any of the above purposes shall apply to the President for license. The President may in his discretion on the advice of the Medical Officer of Health grant, suspend or refuse such license for infringement of any of the conditions attached to the license or whenever on grounds of public health or safety he considers such action is necessary.

3. Applications must be made to the President within fifteen days of the commencement of each official year for the renewal of all licenses granted under this bye-law along with the prescribed fees and in the case of a place to be newly opened a fortnight before such place is proposed to be opened.

4. The following fees shall be charged for licenses granted under this Bye-law.

		Rs.
1. Hotel	...	10 per annum
2. Restaurant, tea-shop, coffee-club		10 do
3. Sweetmeat stall	...	5 do

(a) Provided that if the applicant satisfies the President that it is opened for a special occasion or for a period not exceeding one fortnight, the President on the recommendation of the Medical Officer of Health, shall have power to exempt the applicant wholly or partially from the payment of the fee.

(b) Provided also that no refund shall be made of the amount already paid on account of such license, except under the President's orders, recorded in writing.

5. (a) The license is not transferable either as regards the person to whom or the premises for which it is granted.

(b) The licensee shall cause his license to be affixed in some conspicuous part of the said premises with his name and residential address correctly noted.

(c) The license will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it so carried on as to be in the opinion of the Medical Officer of Health, a source of nuisance or danger to life, health and property.

6. Whoever without obtaining a license as required by these bye-laws uses any place for the purpose mentioned in clause I, shall be liable on conviction to a fine not exceeding Rs. 50 and to a further fine which may extend to Rs. 5 for every day after conviction during which he continues to use such place for such purposes.

7. If the holder of any license under these bye-laws employs any person or persons to be in charge of the place for which such license is granted, such person or persons shall be equally liable with the license for the observance of all conditions attached to such licenses.

8. The following conditions shall be attached to all licenses granted under these bye-laws.

1. All premises used as hotels, restaurants, tea-shops, coffee-clubs and sweetmeat-shops shall satisfy the following conditions :—

(a) The premises shall be sufficiently spacious and suitable for the purpose and every room shall be not less than 8' x 8' x 8'.

(b) The premises shall have a water connection if the President or the Medical Officer of Health thinks that the business is carried on on a large scale. The water used in the premises for drinking purposes shall be drawn from source approved by the President and be filtered and kept clean and free from floating impurities in a suitably covered clean receptacle. The receptacles for the storage of water shall be placed on a clean place above the ground level and provided with a tap for the water to be drawn off. They shall also be properly covered with a tight fitting lid and shall be regularly cleaned.

(c) The walls of every such premises shall be well plastered and cemented to a height of 4 feet from the ground level so as to make them impervious to water and the flooring shall be paved with Cuddappah or other dressed stones or flooring tiles or other materials so as to make it impervious to water.

2. No person suffering from contagious or an infectious or a loathsome disease or who has recently been in attendance on any person suffering from such disease or who is untidy or otherwise unclean shall be employed.

3. No person shall be employed in any hotel, restaurant, tea-shop, coffee-club or sweetmeat shop, unless the person produces a medical certificate from a medical practitioner not below the rank of a Sub-Assistant Surgeon to the effect that the said person is free from contagious, infections or loathsome diseases at the time of his first employment and thereafter to renew it at the beginning of every official year before the 15th July. The certificate shall be produced before the President or other Medical Officer of Health whenever it is required by them for purposes of inspection.

4. All cases of dangerous infectious diseases (such as cholera, plague, eruptive fevers, such as small-pox, chiken-pox, measles and fevers of more than 7 days' duration) occurring in any hotel, restaurant, tea-shop, coffee-club and sweetmeat shop shall be notified to the President or the Medical Officer of Health forthwith.

5. If a case of plague, cholera, small-pox, typhoid influenza or relapsing fever occurs in or near the hotel, tea-shop coffee-club restaurant or sweetmeat shop, the proprietor shall close the same as long as the President or the Medical Officer of Health deems it necessary.

6. Kitchen and bathrooms shall have proper ventilation and shall be provided with suitable smokevents so that smoke may not pervade into the dwelling rooms. All rooms in eating houses shall be well lighted and ventilated.

7. The proprietor or the person in charge shall not allow the persons to dine in any other place but the dining hall.

8. All utensils and other furniture shall be kept clean and all metalic vessels used in the cooking or for keeping foodstuffs shall have a continuous lining of tin and no lead vessels of any sort shall be used for any purpose. The proprietor or the person in charge shall provide suitable receptacles or vessels as may be required for keeping prepared foodstuffs in such manner as to prevent their contamination by dust, flies, or vermin, anything likely to affect them in such a way as to make them injurious to human health and shall keep all such articles of food in such receptacles or vessels in a cleanly and wholesome condition to the satisfaction of the Medical Officer of Health. All cups and saucers used for serving shall be sterilised in boiling water after each service.

9. No food stuff of any sort which is stale, unwholesome, offensive or in any way unfit for human consumption shall be stored or exposed for sale in the premises.

10. All refuse and dirts in and about the premises shall be removed and the drains well flushed and the premises at all times maintained in a clean and tidy condition. There shall be sufficient latrine accommodation and the latrine shall be kept clean and the nightsoil covered with ashes or earth and removed daily.

11. All premises and all cooked and uncooked foodstuffs and vessels shall at all reasonable times be open to inspection by the President, the Vice-President, the Medical Officer of Health, the Chief Officer or the Sanitary Inspector or other officers authorised in this behalf.

12. The Medical Officer of Health shall have the power of condemning any provision or articles found in the premises which he considers unfit for human consumption and his decision in this case shall be considered final.

13. Any infringement of any of the bye-laws shall render the offender liable on conviction before a Magistrate to a fine not exceeding Rs. 50 and to a further fine not exceeding Rs. 5 for every day after such conviction during which such infringement continues, provided that the total amount of the fine shall not exceed Rs. 500.

Draft bye-laws under Section 48 (1) (j).

Bye-laws framed under Section 48 (1) (j) of the Mysore Municipal Act of 1933, regulating the numbering and registering of Motor Vehicles, Bicycles and Tricycles.

1. Any person who is the owner of a motor vehicle, bicycle or tricycle liable to taxation in the Tumkur Town Municipality under the law in force, shall register such motor vehicle, bicycle or tricycle at the Town Municipal Office within thirty-one days of his newly coming into possession of such motor vehicle, bicycle or tricycle hereafter. When he continues to be in possession of such vehicle, bicycle or tricycle he shall also register it at the said office either for the half-year within thirty-one days from the 1st July or from the 1st January or for a year within thirty-one days from the 1st July of each year.

Explanation:—(*a*) Owner in these bye-laws includes the person in charge for the time being of such motor vehicle, bicycle or tricycle.

If a half-year's tax has been levied in respect of a vehicle or animal, no further tax for the same half-year shall be leviable in respect of the said vehicle, if it changes hands during the currency of the said half-year.

2. The above registration shall be made on payment of the yearly or half-yearly tax on such motor vehicle, bicycle or tricycle in advance under the law in force.

3. A disc bearing the registered number shall be issued free of cost to each motor vehicle, bicycle or tricycle so registered.

4. No motor vehicle or bicycle thus registered shall be used without the number disc being conspicuously attached to it.

5. Any person who commits a breach of bye-laws 1 and 4 shall, on conviction before a Magistrate, be punishable with fine which may extend to Rs. 25.

Such of the Executive Officers of the Municipality, who are authorised by the President in writing, are empowered to seize vehicles bearing no Municipal license or disc under a Mahazar and to produce the same before the President for launching a prosecution in a Court of law within a reasonable time.

Bye-laws under Section 48 (1) (j).

Information to be supplied in respect of vehicles and animals.

1. On presentation by any Municipal servant of the form appended to these bye-laws or any form from time to time prescribed in this behalf by the Managing Committee, every inhabitant of the Municipality shall, within such reasonable period as shall be specified in such form, return such form subscribed with his signature to the Chief Officer with all blanks duly filled in to the best of his knowledge or belief as directed in notes on the form, to show the said inhabitant's liability to Municipal taxation.

2. Every person in possession of a vehicle and animal in respect of which he is liable to a Municipal tax shall, at all reasonable hours, give the Chief Officer and any person bearing a written authority from the Chief Officer in this behalf free access to his stables or other places in which such vehicles and animals are ordinarily kept and every facility for inspecting the same for the purpose of checking the correctness of any return that may have been requisitioned under bye law 1 and shall on demand, unless prevented by reasonable cause forthwith produce such vehicles or animals and explain which of them is referred to in the several entries made in any such return.

3. If any person to whom a form has been sent under bye-law 1 omits, within seven days of its receipt, to fill it up and return it to the President, he shall be liable to the payment of the tax on the conveyance and animals which he is believed to possess.

4. Every person who commits any breach of bye-law 2 shall, for each offence, be liable on conviction to a fine not exceeding Rs. 10.

FORM.

True return furnished by ..... under bye-law 1 of the Tumkur Town Municipality under Section 48 (1) (j) of the Mysore Municipal Act as to his liability to conveyance and animal taxes for the half year ending.....

Bye-laws under Section 48 (1) (p) and (r).

Construction of Buildings and other structures.

Notice to be given.—1. Every person, intending to erect or re-erect within the meaning of Sections 103 to 109 of the Mysore Municipal Act No. VIII of 1933, any building in the Town of Tumkur, shall give notice in writing of his intention to the President.

2. *Plans to be furnished.*—Such notice shall be accompanied with a site plan of the land on which the structure is proposed to be built, drawn to a scale of not less than 10 feet to an inch showing :—

(*a*) The position, nature and use of the existing buildings thereon, if any, and of the building and appurtenant out-buildings to be erected on the land,

(*b*) The area to be occupied by the building and out-buildings on the land,

(*c*) The names (if any) or description of the adjacent roads or streets, bridges, culverts or buildings,

(*d*) The number of plot and the name or number of the block and street or road in which the land is situated,

(*e*) The position of latrines or privies and the proposed method of drainage, and

(*f*) Where the building proposed to be erected abuts a road, the breadth of such road as measured between the outer edges of the drain, if any, and the line of buildings on both sides.

3. The plan required to be produced under Section 109 of the Mysore Municipal Act, shall be in duplicate and drawn to a scale of not less than 10 feet to an inch.

It shall show in sections and elevations the plan of the ground floor and of each other floor, if any, the depth and thickness of the foundation, the height and thickness of the plinth and walls above the plinth, the thickness of the floors and the dimensions and structure of the roof.

The aforesaid plan shall further show the position of the line or frontage of the proposed building with reference to the adjacent side drain of the street or road which the buildings face or, if there be no such side drain with reference to the central line of the street or road.

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient for the site plan to show, to the satisfaction of the President, without scale, the size of the proposed building and its position of the land, together with the position of the land with reference to adjacent buildings or lands.

If the party so desires, the Municipal Sanitary Inspector will be ordered to prepare the necessary plan to the public on a payment in advance of ½ per cent on the estimated cost of the building.

The license and plan shall always be available on the spot for inspection by Municipal Authorities.

4. The plan of every building of more than Rs. 500 in value shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof, including the dimensions of all bearing, bressummers, posts, sillars, etc.

5. *Prohibition of certain sites.*—No piece of land shall be used as a site for the erection of a building intended for human occupation—

(*a*) If the site is on tanks or nallas or sewage, unless such site has been certified by the President as fit to be built upon

(b) If the site is one which is filled up with or used as a place for depositing excrementitious matter or carcasses of dead animals, or other filthy or offensive matter until such matter shall have been properly removed to the satisfaction of the President or shall in his opinion have become innocuous,

(c) Unless the site is certified by the District Medical Officer, to be dry and well drained or capable of being well drained, and

(d) If the site is on a lower level than will allow its drainage to be led into some existing or projected sewer.

6. *Buildings not to be erected on a Municipal Drain.*—No building shall be erected over a Municipal drain.

General:—No pits shall be excavated in the sites allotted for building dwelling houses. No building site shall be surrounded by a hedge of lantana, aloe, prickly pear or other objectionable plant or by a fence of barbed iron wire.

7. *Location of the building.* Every person who shall erect a new domestic building shall cause the same to be built with a plinth not below 1½ feet above the general level of the ground around, and 1½ feet above top of side drain. (In no new building shall the foundation of the external wall along the street be located less than 1½ feet from the edge of the street including the drain).

8. *Foundation of walls.*—The footings of the walls and the posts of the ground floor of the building proposed to be erected should rest on solid ground or upon a sufficient thickness of concrete, or upon some solid and sufficient sub-structure as a foundation.

Provided that, where solid rock is met with, at or near the surface of the site of such building, *i.e.*, within 3 feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly cleaned and stepped or jagged to receive the first course of masonry.

9. The eaves of buildings, sun-shades to windows, and water spouts to drain off water shall not project beyond the side street drain adjoining the house and spouts shall be led down to the ground.

10. The steps to get up the plinth from the road shall not project beyond the outer edge, *i.e.*, the edge towards the house side of the drain.

11. No sun-shade for shops either temporary or permanent shall be erected beyond the outer edge, *i.e.*, the edge towards the house side of the drain.

12. *General.*—Every house shall have a decent frontage in keeping with the surroundings and no perishable or inflammable materials shall be used for construction.

13. *Area of the site built upon.*—As a rule, on all sites measuring 100′ x 100′ or more, not more than half the site shall be built upon. In all other cases, no more than two-thirds of the site shall be built upon. Houses may be built contiguous to each other, when the breadth of the site is less than 40 feet. Wherever practicable, a minimum clear space as fixed by the President shall be left between every two houses. The minimum in no case shall be less than 5′ wide.

14. In the case of all new buildings to be erected subsequent to the passing of these bye-laws, the height of the building (measured at the highest point of the roof) which abuts a road, street or lane measuring not less than 12 feet wide, shall not, as a rule, be more than the width of the road, street or lane on which it abuts. In cases where the width of the road, street or lane is 12 feet or less, no storeyed building exceeding 12 feet in height, measured at the highest point of the roof, shall be allowed.

If any owner leaves an open space in front of his house, the open space may be deemed a part of the road, street or lane for the purpose of determining the height.

15. The depth of the building shall not be greater than double the frontage, subject to a maximum of 45 feet unless the President deems it fit to allow a greater depth, in the extensions, in the case of detached buildings.

16. (a) Every person who shall erect a new dwelling house shall so construct such dwelling house, that the whole or at least one side of every room thereof intended to be inhabited shall either be an external wall abutting on the open air, or about an interior open space having an area equal to not less than one-tenth of aggregate floor area of all the rooms abutting thereon, and being not less in any direction than 8 feet across.

(b) He shall provide between at least two of the external walls and the boundary line of the owner's premises except where either of such walls faces a street of not less than 15 feet in width an open space extending through the entire length of such wall at least 6 feet wide. He shall cause every interior open space required by this bye-law to be constructed and kept free from any erection thereon and open to the sky and no cornice, roof or weather shade shall project or overhang the said open space more than one foot six inches on any side thereof, provided that such connecting passages may be allowed as the President shall deem necessary, such passages being open on one or both sides.

Note:—This bye-law shall apply mainly to the extensions of the Town. It may be applied to other parts of the Town when the width of the site is not less than 40 feet and the President considers its application feasible.

17. No building intended for human habitation shall be allowed in the extensions on site measuring less than 30 feet by 50 feet.

18. (a) *Height and area of the room.*—Every person erecting a building shall construct every room intended to be inhabited in such building except a room in the roof thereof so that the same shall be in every part at least 8 feet in height from the floor to the ceiling.

(b) He shall so construct every such room in the roof of such building that the same shall have an average height of at least 7 feet from the floor to the ceiling.

(c) He shall so construct every such room that the same shall have a clear superficial area of not less than 80 square feet, except when a room communicates with another room by a partition wall not carried upto the roof or in such a manner that communication cannot be cut off.

(d) He shall so construct every such room that the same shall be ventilated by means of doors or windows which open directly into the external air and have an aggregate opening equal to not less than one-tenth of the floor space.

19. Where the staircase is inside a house and is not otherwise adequately ventilated, it shall be ventilated at the top, by means of a window or ventilator or sky light in the roof.

20. *Insertion of damp-proof courses.*—In the case of buildings which in the opinion of the President of the Municipal Council are likely to be damp on account of high level of the sub-soil water in the site, if the President deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement, vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

21. Every house-holder is bound to conserve the house occupied by him and the grounds attached to the same. All such premises must be provided with suitable drain constructed in accordance with specification supplied by the President for the drainage of the house and compound for the removal of sullage water and sewage to the nearest existing street drain commanded by the level of the house and the grounds pertaining thereof. The owner of the house is bound to construct such drains, within thirty days from the date of the notice served on him by the President calling on him to construct the required drain or drains, in default, the President is competent to order the construction of the required drain or drains at the owner's risk and cost.

22. *General.*—No person shall construct over a privy, whether new or old, any structure of any description. In the case of water closet, a closet may be permitted over a closet provided proper drainage arrangements prescribed by and approved of by the President are effected.

23. *Huts, Sheds and Ranges.*—Every person who shall erect huts or sheds or ranges or blocks of huts or sheds whether the same are to be used as dwellings or stables or for any other purpose, shall, if the President so require, build the same:—

(a) So that they may stand in regular lines with a free passage or way in front of and between every two lines of such width as the President may direct for ventilation and for facilitating scavenging.

(b) With such and so many privies, latrines or urinals and such means of drainage as the President may require. And

(c) At such a level as will suffice for the means of drainage required.

24. *Construction of Privies or Latrines.*—Every place other than a water closet or bath-room situated within any house, building or enclosure, and habitually used for the purpose of nature or for keeping human excreta, shall be considered to be a privy or latrine within the meaning of this bye-law.

25. Every person who shall erect a new building, shall, in connection with such building whether it be dwelling, chattram, agraharam and tenements, etc., construct such number of water closets or privies as shall be prescribed and approved of in each case by the President.

Provided that the number of privies shall not, in each case, be less than two, one for males and another for females.

26. A person who shall construct a new privy, whether in connection with a building or not, shall construct such privy upon such site or in such position and manner only as shall be approved of by the President. Every privy shall have its floor of a material which is a smooth surface and which is impervious to water and shall have a smooth non-absorbent coating of cement or glazed tiles to a height of not less than 5 feet above the floor of such privy.

27. A person who shall construct a privy in connection with a building shall not, without the written permission of the President, construct such privy within a distance of 20 feet from any well, spring or stream of water used or likely to be used by men for drinking or other domestic purposes or for manufacturing drinks for the use of men, or otherwise in such a position as to render any such water liable to pollution.

28. Every person who shall construct a privy in connection with a building shall so construct the same as to leave an external air space of not less than 4 feet in width from the building and open to the sky, surrounding such privy on every side thereof except the entrance

side where any gallery or passage communicating with such privy shall be not less than 3 feet in width and shall be open to the external air on both sides.

29. Every person who shall construct a privy in connection with a building shall provide such privy with a sufficient opening or with sufficient openings for ventilation to the satisfaction of the President and such opening or openings shall be near to the top as practicable and shall communicate directly with the external air.

30. Uncleaned latrine pits, sewage pumps within the precincts and in proximity to a house shall be cleaned and filled up within two days of notice to that effect from the President, unless the President considers it necessary in any particular case or cases to extend the period.

31. (a) In every case where a person erecting a building shall, at any reasonable time during the progress or after the completion of the erection of such building, receive from the President notice in writing specifying any matters in respect of which the erection of such building may be contravention of any bye-law relating to new buildings and requiring such person within a reasonable time which shall be specified in such notice, to cause anything done or which has been omitted to be amended or done in conformity therewith, such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matter in respect of which the erection of such building may be in contravention of any such bye-law.

(b) Such person within a reasonable time after the completion of any work which may have been executed in accordance with any such requirement, shall deliver or send, or cause to be delivered or sent, to the President at his office, notice in writing, of the completion of such work.

Notice of completion of building.—Every person, who shall erect a building shall, within one month after the completion of the erection of such building, deliver or send or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of the erection of such building.

A permission to build granted under these bye-laws shall become inoperative if the construction has not been commenced within one year of the date of such permission provided that a license once obtained shall be renewed on application for an additional one year from the date on which such license is renewed.

Special conditions to individual cases.—Notwithstanding any thing contained in these bye-laws it shall be within the discretion of the municipality to attach special conditions to individual cases provided that they are not inconsistent with the provisions of the Act.

Prohibition of mud walls.—Within the Town limits no wall of any building shall, except with the permission of the President, be made up of mud alone.

Building plot to be levelled.—The building plot of every building shall be levelled in such manner that rain water may rapidly drain off into a water course or Municipal drain.

Any person who may be called upon by the President, to modify alter or ventilate his building, with a view to improve ventilation or sanitation, shall do so, within one month from the date of notice of the President calling upon him to do so, or such further period as in regard to the circumstances of the case, the President may deem proper to fix.

General.—If any person has any doubt or difficulty as to the true intent or meaning of any matter connected with these rules or the requirements thereof, he may before giving notice in writing of his intention to erect or re-erect any building, apply to the President, who shall upon receipt of such application give the said person within one week, such information as in the circumstances may be necessary.

Penalty.—Every person who shall commit any breach of any of the foregoing bye-laws shall be punishable with fine which may extend to Rs. 200 on conviction before a Magistrate as provided in the Town Municipalities Act of 1933, Section 109.

Whenever under any of the foregoing bye-laws the doing or the omitting of doing a thing or the validity of any thing depends upon sanction, permission, approval, order, direction, requisition, notice or satisfaction of the President a written document signed by the President or by any Municipal Officer to whom the President may have delegated his powers, duties or functions in that behalf, purporting to convey or set forth his sanction, permission, approval, order, direction requisition notice or satisfaction, shall be sufficient *prima facie* evidence of such sanction, permission, approval, direction, requisition, notice or satisfaction.

An appeal shall lie to the Council from any order passed by the President in exercise of the powers vested in him by these bye-laws. Such appeal shall be filed within 60 days from the date of communication to the party of the order appealed against.

Note.—In all cases in which under these bye-laws dimensions are prescribed, the President shall have power, on application being made to that effect, to permit such dimensions being modified.

Under Section 48 (a)—Compound walls of houses and vacant lands.—1. Any occupier or owner of a house neglecting to enclose his compound or yard with a wall or fence of such materials as may be approved by the President or neglecting to repair any fallen wall or gate pillar or to coupe the compound wall within one month after a notice has been served on him shall, on conviction, be liable to a penalty not exceeding Rs. 20.

2. Any owner of a piece of vacant land who fails to enclose the same with a compound wall or fence of such materials as the President may approve of, within one month after a notice has been served on him shall, on conviction, be liable to a penalty not exceeding Rs. 20.

C. KRISHNA RAO,
President, Town Municipal Council, Tumkur.

TUMKUR DISTRICT.

Notification No. A6. C. 1105—38-39, dated 10th October 1938.

In connection with the reconstitution of the District Board, Tumkur, to take effect from 1st June 1939, all those Associations which are desirous of being enfranchised for representation of the District Board and fulfil the conditions prescribed by Government in their Notification No. L. 1311—L. B., 25-26-3, dated 21st August 1926 as amended from time to time (*Vide* Rules 2 to 7 which have been extracted below) are hereby required to submit their applications to the undersigned noting therein all the particulars required so that they may reach this Office on or before the 31*st January* 1939.

Applications which do not reach this Office in time or do not comply with the conditions laid down in the said Government Notification, shall not be entertained.

Rule 2. Special Constituencies.—Any Association in a District which is registered under the Societies' Registration Act III of 1904 and is also enfranchised by the Government on the recommendation of the Deputy Commissioner for representing the following interests, *viz.*,—Inamdars, Planters, Agriculturists, or Industries, Commerce, Education, Law or such other interests as approved by Government shall form a special constituency.

Rule 3. Each Special Constituency may elect a member to the District Board provided that the total number of members elected by special constituencies shall not exceed one-fourth of the total number of elected members of the Board.

Rule 4. Enfranchisement of Associations.—No Association will be enfranchised that does not fulfil the following conditions, but an Association will not become entitled to be enfranchised solely by reason of fulfilling the conditions:—

(*a*) The Association must have been formed for the furtherance of any of the interests stated in Rule 2 and it must be an active one doing substantial work to promote such interest.

(*b*) The number of members on the roll of the Association shall not be less than one hundred, provided that the Government may, for special reasons, allow an Association containing less than one hundred members to elect a member to the District Board.

(*c*) Applications for enfranchisement shall be submitted to Government through the Deputy Commissioner at least four months before the commencement of the term of the District Board and shall be accompanied by a copy of the rules or bye-laws and the following particulars:—

(*i*) Object of the Association.
(*ii*) A list of members with the particulars required under Rule 7.
(*iii*) Income from Membership and other sources.
(*iv*) The assets of the Association.

Rule 5. The franchise given to an Association shall expire at the end of the term of the District Board and the privilege of representation shall be liable to be revoked, if the Association ceases to exist or infringes any of the conditions specified in Rule 4.

Rule 6. Qualifications of Voters in Special Constituencies.—Subject to the provisions of Sections 9 and 10 of the Act, every member of an Association enfranchised by the Government shall be qualified to vote, at an election of members by the constituency to the District Board.

Rule 7. List of Voters.—A list of voters for every constituency containing the following particulars shall be prepared by the Amildar or Deputy Amildar in the case of a Genaral Constituency and by the Secretary to the Association in the case of a Special Constituency, and shall be submitted to the Deputy Commissioner.—

1. Polling station	
2. Hobli	
3. Village	

4. Serial number	
5. Name	
6. Father's name	
7. Age	
8. Occupation	
9. Qualification as a Voter	
10. Whether qualified to be a candidate ...	
11. Remarks	

E. V. GANAPATI IYER,
Deputy Commissioner.

MANDYA SUB-DIVISION.

Notification No. V. P. C. 410—38-39, *dated* 7—14*th October* 1938.

Under Section 10 (b) of the Mysore Village Panchayet Act, Mr. Jogigowda, son of Chikkegowda, is declared elected as Chairman of Koppa Village Panchayet, Maddur Taluk.

B. BEERAPPA,
Sub-Division Officer.

HASSAN SUB-DIVISION.

Notification No. C. 4-*C.* 616—38-39, *dated* 5*th October* 1938.

Under Section 17 of the Mysore Village Panchayet Act, Mr. Basavegowda, Patel, son of Chowdavalli Ningegowda, is nominated as a Member and Chairman of the Changaravalli Village Panchayet, Kattaya Hobli, Hassan Taluk, in place of Mr. Basavegowda, deceased.

A. RAZAQ,
Assistant Commissioner.

OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, SAKLESPUR.

Notice.

Public are hereby informed that a Cattle Show will be held in the Saklespur Town from 10th November 1938 to 15th November 1938, both days inclusive, in the maidan beside the river Hemavathi.

R. RAMACHANDRA RAO,
President.